

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Kladders, H. et al) Art Unit:
U.S. Appln. No. : To Be Accorded) Examiner:
Confirmation No. : To Be Accorded
U.S. Filing Date : 01/14/2004
Title of Invention : Powder inhaler
Attny. Docket No.: 1/1447

Mail Stop Patent Application
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

January 14, 2004

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, with copies of all non-US patents, except DE3274065 (equivalent US 4,524,769 listed), and publications, as more specifically described hereinbelow.

1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

- A statement as specified in 37 C.F.R. §1.97(e) [see below]; or
- The fee set forth in 37 C.F.R. §1.17(p).

The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

1.97(e).

Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

The fee set forth in 37 C.F.R. §1.17(p).

The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



Michael P. Morris
Attorney for Applicant(s)
Reg. No. 34,513

Patent Department
Boehringer Ingelheim Corp.
900 Ridgebury Road, P.O. Box 368
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Tel: (203) 798-5285
Date: January 14, 2004

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	To Be Assigned
Filing Date	01/14/2004
First Named Inventor	Heinrich KLADDERS
Art Unit	
Examiner Name	

Attorney Docket Number 1/1447

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number <small>Number-Kind Code² (if known)</small>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4,524,769	06/25/1985	Wetterlin, K. I. L.	XR:DE3274065
		US- 4,069,819	01/24/1978	Valentini, L. et al	
		US- 4,627,432	12/09/1986	Newell, R. E. et al	
		US- 4,778,054	10/18/1988	Newell, R. E. et al	
		US- 6,378,519	04/30/2002	Davies, M. B. et al	
		US- 5,590,645	01/07/1997	Davies, M. B. et al	
		US- 5,860,419	01/19/1999	Davies, M. B. et al	
		US- 5,873,360	02/23/1999	Davies, M. B. et al	
		US- 6,032,666	03/07/2000	Davies, M. B. et al	
		US- 2002/0053344 A1	05/09/2002	Davies, M. B. et al	
		US- 2002/0066451 A1	06/06/2002	Davies, M. B. et al	
		US- 4,524,769	06/25/1985	Wetterlin, K. I. L.	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document <small>Country Code³ Number⁴ Kind Code⁵ (if known)</small>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		WO 91/02558 A1	03/07/1991	BI Int'l GmbH, et al		
		EP 1 100 474 B1	07/17/2002	BI Pharma KG		
		DE 33 45 722 A1	06/27/1985	BI KG		
		DE 33 48 370 C2	10/11/2001	Glaxo Group Ltd.		
		DE 33 36 486 A1	04/26/1984	Glaxo Group Ltd.		

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 4

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Application Number	To Be Assigned
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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			
	EP 0 911 047		04/28/1999	BI Pharma KG	
	DE 20114878		05/02/2002	Spaeth, B.	
	DE 4106379		09/05/1991	Glaxo Group Ltd.	
	DE 3274065	Corresponding US 4,524,769 provided above.			
	WO 93/18811 A1 (EP633972)		09/30/1993	Barthlott, W.	

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		T
		WO 96/04123 A1 (EP 772 514)	0w2/15/1996	Barthlott, W.	
		FR 2.146.202	03/02/1973	ISF SPA	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				<i>Application Number</i>	To Be Assigned
				<i>Filing Date</i>	01/14/2004
				<i>First Named Inventor</i>	Heinrich KLADDERS
				<i>Art Unit</i>	
				<i>Examiner Name</i>	
Sheet	4	of	4	<i>Attorney Docket Number</i>	1/1447
(Use as many sheets as necessary)					

NON-PATENT LITERATURE DOCUMENTS

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